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MASSACHUSETTS REJECTS RELAXED STANDARDS OF FEDERAL AIR PERMITTING PROGRAM

Environmental Affairs Secretary Ellen Roy Herzfelder announced today that the Massachusetts Department of Environmental Protection (DEP) is rejecting the new relaxed federal program regulating air pollution from factories and utilities.

Secretary Herzfelder said, "EPA's program simply allows too many loopholes for large sources of air pollution. We've worked hard in Massachusetts to clean up our air – this is not the time to backslide."

In a letter to the U.S. Environmental Protection Agency (EPA), DEP stated that the Commonwealth will continue to rely on its more protective New Source Review program. This program requires the installation of state-of-the-art pollution controls on new sources of air pollution and modifications at existing sources. The state requirements incorporate the basic principles of the original federal New Source Review program that were at the heart of the Clean Air Act.

The new federal program would exempt most major polluters from the previous New Source Review requirement to modernize pollution controls when they expand or upgrade their facilities.

"We believe it is reasonable for new and modified sources of air pollution to take steps, using the best available control technology, to minimize their impact on our environment and the public health," said DEP Acting Commissioner Ed Kuncie. "We need our pollution controls to keep pace with growth to ensure that we reach our state's clean air goals."

Massachusetts' officials believe it is most cost-effective to install pollution controls when a source is expanding and modernizing rather than retrofitting the facility after the fact when an emission problem arises.

“We are open to finding ways to streamline the permitting process and to provide flexibility and regulatory certainty for the business community,” said Kunce, “but this must be done in a way that protects our significant gains and improvements in air quality.”

Joining nine other northeastern states, Massachusetts has filed suit to stay the new federal rules. If not stayed, these rules will increase air pollution transported into the state and region from upwind sources such as midwestern utilities and factories. The new rules would also make it harder for Massachusetts to meet EPA’s ozone standards.

Massachusetts currently meets the health-based standards for all criteria pollutants except for ozone (summer smog). By making sure that plants modernize their pollution control equipment as they expand, the state can accommodate economic growth without degrading air quality.

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